

Message Text

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ACTION IO-11

INFO OCT-01 ISO-00 AF-06 ARA-06 EA-07 EUR-12 NEA-10 SAJ-01

SAB-01 EB-07 COME-00 TRSE-00 OMB-01 DHA-02 DIWY-01

CU-02 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAM-01 AID-05

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R 030024Z APR 76

FM USMISSION USUN NY

TO SECSTATE WASHDC 6665

INFO USMISSION GENEVA

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E.O. 11652: NA

TAGS: ECOSOC, SGEN, SOCI, SHUM, SNAR, SREF

SUBJECT: 60TH ECOSOC--OUTLOOK FOR SOCIAL ITEMS AT SPRING
SESSION

1. SUMMARY. AT EC9 INITIATIVE WESTERN MEMBERS OF ECOSOC
HELD APRIL 1 MEETING TO DISCUSS AGENDA ITEMS FOR ECOSOC
SESSION BEGINNING APRIL 13. DISCUSSION CENTERED ON DECADE
FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION AND
HUMAN RIGHTS QUESTIONS. DECADE FOR WOMEN RECEIVED BRIEF
MENTION. END SUMMARY.

2. WESTERN MEMBERS OF ECOSOC, INCLUDING MOST OF EC9, PLUS
US, GREECE, AUSTRIA, PORTUGAL, AUSTRALIA, NORWAY, DENMARK,
AND JAPAN, HELD APRIL 1 MEETING TO DISCUSS AGENDA ITEMS
FOR SPRING ECOSOC SESSION. REPRESENTATION WAS AT FIRST
AND SECOND SECRETARY LEVEL. MAIN ITEMS OF DISCUSSION WERE
THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (ITEM 3), INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS (ITEM 4), AND HUMAN RIGHTS

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(ITEM 7).

3. IN CONNECTION WITH THE DECADE, GROUP AGREED THERE WILL BE AT LEAST TWO RESES, AND OMNIBUS RES FOR GA ACTION THIS FALL AND A RES PERTAINING TO THE 1978 GHANA CONFERENCE WHICH IS PART OF THE DECADE. PARTICIPANTS HAD NO CONCRETE INFORMATION ON CONTENTS OF POSSIBLE RESES. WEOS BELIEVE THERE IS G77 TREND TO AVOID DIRECT MENTION OF ZIONISM RES. SEVERAL REPS CITED LACK OF MENTION OF ZIONISM AT MARCH 21 INTERNATIONAL DAY FOR ELIMINATION OF RACIAL DISCRIMINATION AND THE RECENT DECADE RES IN THE HUMAN RIGHTS COMMISSION WHICH DID NOT MENTION THE ZIONISM RES SPECIFICALLY, AS SIGNS THAT MODERATES IN G77 ARE HAVING SOME INFLUENCE. FRG AND UK NOTED THAT EVEN THOUGH THE ZIONISM RES WAS NOT MENTIONED BY NAME, IT WAS REFERRED TO INDIRECTLY AND INTENT WAS CLEARLY THAT IT BE EMBRACED IN THE DECADE RES. THOSE COUNTRIES WHICH PARTICIPATED IN THE HUMAN RIGHTS COMMISSION (HRC), I.E., UK AND FRG, ARE LESS OPTIMISTIC THAN THOSE WHICH DID NOT ATTEND. IN DISCUSSION OF POSITIONS WHICH DELS WILL TAKE IN REGARD TO THE DECADE ITEM, BELGIUM, FRG, UK, AND NETHERLANDS STATED THEY WOULD MAKE STATEMENTS EXPLAINING THEIR NON-PARTICIPATION IN THE DECADE AND WOULD MENTION ZIONISM RES AS THE CAUSE. PORTUGAL, WHICH VOTED YES ON THE ZIONISM RES, WILL SUPPORT THE DECADE. MOST WEOS WILL, HOWEVER, AVOID STATEMENTS WHICH REFER EXPLICITLY TO THE GHANA CONFERENCE. REASON IS THAT WEOS WISH TO KEEP THEIR OPTIONS OPEN FOR FUTURE PARTICIPATION IN THE DECADE AND WANT SPECIFICALLY TO AVOID ALIENATING AFRICAN COUNTRIES BY PROCLAIMING A BOYCOTT OF THE GHANA CONFERENCE AT LEAST AT PRESENT STAGE. UK REP REPORTED RUMOR THAT G77 PREFER TO AVOID DETAILED DISCUSSION OF GHANA CONFERENCE AND BUDGET IMPLICATIONS AT THIS ECOSOC SESSION. CONFERENCE RES WILL PROBABLY BE LIMITED TO ACCEPTANCE OF INVITATION OF GOVERNMENT OF GHANA TO HOST THE 1978 CONFERENCE. IN RESPONSE TO US QUESTION ON EC9 POSITION ON FINANCIAL SUPPORT FOR THE CONFERENCE, WEOS REPLIED THEY WOULD PROBABLY ABSTAIN ON RES WITH FINANCIAL IMPLICATIONS, BUT DO NOT HAVE INSTRUCTIONS AT THIS POINT. WE MADE CLEAR FIRM US DECISION TO BOYCOTT DECADE INCLUDING ACCRA CONFERENCE.

4. TURNING TO HUMAN RIGHTS ITEMS, GROUP AGREED THERE LIMITED OFFICIAL USE

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IS STRONG POSSIBILITY OF A NEW ANTI-CHILE RES IN VIEW OF RECENT NOTE CIRCULATED BY BULGARIAN MISSION AND CHILEAN MISSION REPLY. TEXTS OF NOTES CONTAINED IN DOCUMENTS A/31/64 (BULGARIA) AND A/31/74 (CHILE). IN REGARD TO SOUTH AFRICA APARTHEID RES PASSED AT HRC, WEOS WILL MAINTAIN POSITION OF ABSTENTION. US ALSO ABSTAINED ON THIS RES AT HRC BUT VOTED NO ON THREE SPECIFIC PARAS. GROUP ALSO SEES POSSIBILITY CUBA WILL RENEW ITS ATTACK

ON URUGUAY AS FOLLOW-UP TO HRC STATEMENTS. WEO RESPONSE
WILL BE TO INSIST THAT URUGUAY CASE BE TREATED IN 1503
CONFIDENTIAL PROCEDURES.

5. IN DISCUSSION OF ITEM PERTAINING TO IMPLEMENTATION OF
THE COVENANT OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS, FRG
NOTED RESES ON PROCEDURES FOR IMPLEMENTING THE COVENANT
WILL NO DOUBT ATTEMPT TO FURTHER STRENGTHEN THE TENDENCY
TO CHANGE THE FOCUS OF THE HRC FROM CIVIL AND POLITICAL
TO ECONOMIC AND SOCIAL RIGHTS. THIS TENDENCY IS
REFLECTED IN RES 1330 RECENTLY PASSED AT HRC WHICH CALLS
FOR EXAMINATION AT NEXT HRC SESSION OF THE POSSIBILITY
OF DIVIDING HRC WORK INTO TWO PARTS: 1) ITEMS RELATED
TO CIVIL AND POLITICAL RIGHTS, AND 2) ITEMS RELATED
TO ECONOMIC, SOCIAL AND CULTURAL RIGHTS--TO BE CONSIDERED
IN ALTERNATE YEARS.

6. ONLY THE FRG REPORTED THAT IT PLANS TO INITIATE ANY
NEW RESES. TEXT OF DRAFT FRG RES FOLLOWS AT END OF
CABLE. PURPOSE BEHIND THIS RES IS TO GIVE CONTINUED AT-
TENTION TO THE QUESTION OF TORTURE AND PREPARATION OF A
DRAFT DECLARATION ON PRINCIPLES OF TREATMENT OF PERSONS
UNDER DETENTION. FRG IS SEEKING COSPONSORS AMONG WEOS
AND G77.

7. DECADE FOR WOMEN. THE SECT HAS NOT YET PUBLISHED
DOCUMENTATION RELATED TO THE TWO ITEMS UNDER THE DECADE
FOR WOMEN, I.E., THE PROPOSAL TO ESTABLISH AN INTER-
NATIONAL INSTITUTE FOR RESEARCH AND TRAINING AND THE
QUESTION OF CONTINUATION OF THE VOLUNTARY FUND INITIATED
FOR THE INTERNATIONAL WOMEN'S YEAR. PARTICIPANTS HAD NO
INFORMATION PERTAINING TO EITHER ITEM EXCEPT FOR A PRESS
RELEASE, ALREADY FORWARDED TO DEPT, PERTAINING TO THE
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INSTITUTE.

8. CONSENSUS OF OPINION ON THE VOLUNTARY FUND IS THAT
LACK OF DOCUMENTATION REFLECTS CERTAIN LACK OF DIRECTION
IN THE SECT AS TO HOW FUNDS SHOULD BE COLLECTED, MANAGED,
OR PUT TO USE. UN BUDGET OFFICE REPORTED STATUS OF THE
FUND TO DATE AS FOLLOWS: \$1,980,702--INCOME TO DATE.
\$1,571,461--UNENCUMBERED BALANCE.

9. COMMENT. MOST WEO PARTICIPANTS WERE SPEAKING WITHOUT
INSTRUCTIONS BUT THE MAIN DIRECTION OF EC9 THINKING ON THE
DECADE IS TO KEEP OPTIONS OPEN FOR POSSIBLE PARTICIPATION
IN GHANA CONFERENCE. NEITHER FRENCH NOR ITALIAN DEL
MADE ANY COMMENT ON THE DECADE. WEOS GENERALLY SHOWED
TENDENCY TO GO ALONG WITH RESES ON RACISM AND RELATED MATTERS

SO LONG AS ZIONISM RES NOT MENTIONED EXPLICITLY. DANGER IN THIS POSITION IS THAT REFERENCE TO ZIONISM RES CAN BE CLEARLY INTENDED OR READ INTO SUCH RESES WITHOUT EXPLICIT CITATION. WEOS ALSO APPEAR NOT FIRM ON POSITION WHICH THEY WILL TAKE IN REGARD TO FINANCIAL SUPPORT FOR THE DECADE.

IN REGARD TO POSSIBLE RESES CONDEMNING ISRAEL, WEOS TENDED TO DISCOUNT POSSIBILITY OF ANY NEW INITIATIVES. US NOTED THAT GIVEN THE HARSHNESS OF THE ANTI-ISRAEL RES PASSED IN THE HRC AND THE RECENT ACTIVITIES IN THE OCCUPIED TERRITORY, THERE IS STRONG POSSIBILITY OF ADDITIONAL RESES CONDEMNING ISRAEL. ISRAELI MISSION HAS ALSO CALLED AT USUN TO EXPRESS SIMILAR CONCERNS.

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NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAM-01 AID-05

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10. THE YUGOSLAV/CUBAN RES RE RIGHT TO LIFE (HRC RES 1327) WAS NOT DISCUSSED SINCE IT CALLS FOR NO ACTION BY SPRING ECOSOC. WE MUST ANTICIPATE, HOWEVER, THE PROBABILITY THAT SOVIETS OR NON-ALIGNED COUNTRIES WILL TRY TO GET SOME PUBLICITY FOR IT OR SEEK TO GIVE IT STATUS BY CITATION IN OTHER RESOLUTIONS. BELIEVE WE MIGHT WELL BUCK UP EC-9 AND OTHER WESTERN DELS IN VIEW OF EXPERIENCE AT HRC.

1. TEXT OF DRAFT FRG RES FOLLOWS.

DRAFT RESOLUTION

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED
TO ANY FORM OF DETENTION OR IMPRISONMENT

MINDFUL OF ARTICLES 3, 5 AND 9 OF THE UNIVERSAL DECLARATION
OF HUMAN RIGHTS AS WELL AS OF ARTICLES 6,7,9 AND 10 OF
THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS;

WELCOMING THE UNANIMOUS ADOPTION OF THE DECLARATION ON
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THE PROTECTION OF ALL PERSONS FROM BEING SUBJECTED TO
TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT
OR PUNISHMENT IN GENERAL ASSEMBLY RESOLUTION 3452 (XXX);

TAKING NOTE OF RES. L.1329 (XXXII) OF THE COMMISSION ON
HUMAN RIGHTS INVITING THE SUBCOMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION OF MINORITIES IN PERSUANCE
OF GENERAL ASSEMBLY RESOLUTION 3453 (XXX)

A) TO DRAW ALSO UPON THE DECLARATION ON THE
PROTECTION OF ALL PERSONS FROM BEING SUBJECTED
TO TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT AS A GUIDELINE FOR ITS
WORK WHEN CONSIDERING THE QUESTION OF THE HUMAN
RIGHTS OF PERSONS SUBJECTED TO ANY FORM OF
DETENTION OR IMPRISONMENT UNDER ITS RESOLUTIONS
7 (XXVII) AND 4 (XXVIII);

B) TO DRAW UP AT ITS 29TH SESSION ON THE BASIS OF THE
STUDY OF THE RIGHT OF EVERYONE TO BE FREE FROM
ARBITRARY ARREST, DETENTION AND EXILE, THE DRAFT
PRINCIPLES ON FREEDOM FROM ARBITRARY ARREST AND
DETENTION ATTACHED THERETO AND OTHER RELEVANT
MATERIAL A BODY OF PRINCIPLES FOR THE
PROTECTION OF ALL PERSONS UNDER ANY FORM
OF DETENTION OR IMPRISONMENT;

RECALLING THAT BY ITS RESOLUTION 663 C(XXIV) THE
ECONOMIC AND SOCIAL COUNCIL APPROVED THE STANDARD
MINIMUM RULES FOR THE TREATMENT OF PRISONERS ADOPTED
BY THE FIRST UNITED NATIONS CONGRESS ON THE PREVENTION
OF CRIME AND THE TREATMENT OF PRISONERS;

1) CALLS ON ALL GOVERNMENTS FULLY TO OBSERVE AND IMPLEMENT
THE DECLARATION ON THE PROTECTION OF ALL PERSONS FROM

BEING SUBJECTED TO TORTURE AND OTHER CRUEL, INHUMAN
OR DEGRADING TREATMENT OR PUNISHMENT ADOPTED UNDER
RES. 3452 (XXX) OF THE GENERAL ASSEMBLY;

2) INVITES GOVERNMENTS, SPECIALIZED AGENCIES, REGIONAL
INTERGOVERNMENTAL ORGANIZATIONS AND NON-GOVERNMENTAL
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ORGANIZATIONS TO COOPERATE WITH THE SUB-COMMISSION ON
PREVENTION OF DISCRIMINATION AND PROTECTION OF
MINORITIES IN THE IMPLEMENTATION OF ITS RESOLUTIONS
7 (XXVII) AND 4 (XXVIII) ON THE HUMAN RIGHTS OF PERSONS
SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT;

3) URGES THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES TO GIVE ADEQUATE ATTENTION
TO THE TASK ENTRUSTED TO IT BY RES. L. 1329 (XXXII) OF
THE COMMISSION ON HUMAN RIGHTS AND TO FORMULATE A BODY
OF PRINCIPLES FOR THE PROTECTION OF ALL PERSONS UNDER
ANY FORM OF DETENTION OR IMPRISONMENT;

4) REITERATES ITS RECOMMENDATION TO GOVERNMENTS AS
CONTAINED IN ITS RES. 663 C (XXIV) THAT FAVOURABLE
CONSIDERATION BE GIVEN TO THE ADOPTION AND APPLICATION
OF THE STANDARD MINIMUM RULES FOR THE TREATMENT OF
PRISONERS IN THE ADMINISTRATION OF PENAL AND CORREC-
TIONAL INSTITUTIONS;

5) DETERMINES THAT NO RESTRICTIONS UPON OR DEROGATIONS
FROM ANY OF THE FUNDAMENTAL HUMAN RIGHTS RECOGNIZED
OR EXISTING IN ANY COUNTRY IN VIRTUE OF LAW, CONVENTIONS,
REGULATIONS OR CUSTOM SHALL BE ADMITTED ON THE PRETEXT
THAT THE STANDARD MINIMUM RULES FOR THE TREATMENT OF
PRISONERS DO NOT RECOGNIZE SUCH RIGHTS OR THAT THEY
RECOGNIZE THEM TO A LESSER EXTENT;

6) INVITES THE SECRETARY-GENERAL TO BRING THIS RESOLUTION
TO THE ATTENTION OF THE GOVERNMENTS OF THE MEMBER-STATES
OF THE UNITED NATIONS.
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Message Attributes

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Control Number: n/a
Copy: SINGLE
Draft Date: 03 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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ISecure: 1
Legacy Key: link1976/newtext/t19760499/aaaadhjg.tel
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